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successor in interest to the FDIC as receiver
for Downey Savings and Loan Association, F.A.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re)	Bk. No. 10-12656-AJ-13
)	
JOHN HOWARD BOARDMAN and)	BAP: NC-11-1365
JOHANNA LEA BOARDMAN,)	
)	District Court No.: unknown
Debtors.)	
)	
)	
DAVID BURCHARD,)	
)	
Trustee,)	
)	
)	

STATEMENT OF ISSUES ON APPEAL

1. Whether the Bankruptcy Court erred in determining that Debtors Third Amended Plan complied with all provisions of the Bankruptcy Code before confirming the Third Amended Plan?

2. Whether the Bankruptcy Court erred in entering an Order confirming Debtors' Third Amended Chapter 13 Plan when the Chapter 13 Plan terms include a disguised forced sale of the subject Property, described as **3571 Tollini Lane, Ukiah, California**, to an insider mother of the

1 Debtors?

2 3. Whether the Bankruptcy Court erred in confirming an Amended Chapter 13 Plan
3 where Debtors do not reflect an intent to commit all disposable income to their unsecured
4 creditors after approval of a “superpriority mortgage lien” to the insider mother of the Debtors?

5 Dated: July 19, 2011

Prober & Raphael, A Law Corporation

6 By /s/ Lee S. Raphael, Esquire

7 LEE S. RAPHAEL, ESQUIRE #106207

8 Attorney for Appellant

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